

## COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER

P-CJ 1402

As a below named inventor I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I severally am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the invention entitled:

GENE THERAPY BY RETROVIRAL VECTOR WITH TUMOR SUPPRESSIVE GENE

the specification of which (check only one item below)

 is attached hereto was filed as United States application

Serial No. \_\_\_\_\_

on \_\_\_\_\_

and was amended

on \_\_\_\_\_ (if applicable)

 was filed as PCT international applicationNumber PCT/US93/08844on 17.09.93

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s), for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

## PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (If PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day month year)	PRIORITY CLAIMED UNDER 35 USC 119
U.S.	07/948,289	18.09.92	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
PCT	PCT/US93/08844	17.09.93	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

Combined Declaration for Patent Application and Power-of Attorney (Continued)  
 (Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NO.  
 P-CJ 1402

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER  
 35 USC 120

U.S. APPLICATIONS		STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED

PCT APPLICATIONS DESIGNATING THE U.S.

PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED IN THIS APPLICATION
PCT/US93/08844	17.09.93	08/403,797

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number): Cathrynn Campbell, Reg. No. 31,815; Christine Bellas, Reg. No. 34,122; Susan M. Perkins, Reg. No. 36,405; Richard J. Imbra, Reg. No. 37,643; Paul C. Steinhardt, Reg. No. 30,806; Gregory R. Hook, Reg. No. 38,701; David A. Gay, Reg. No. 39,200; David Spuler, Reg. No. 36,933, and Barry Wilson, Reg. No. 39,201. Send Correspondence to: Paul C. Steinhardt, Esq. Direct Telephone Calls to: (name and telephone number): CAMPBELL AND FLORES 4370 La Jolla Village Drive, Suite 700 San Diego, CA 92122 Paul C. Steinhardt (619) 535-9001

201	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
		Shepard	H.	Michael
RESIDENCE & CITIZENSHIP	Rancho Santa Fe	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS	P.O. Box 8333	CITY	STATE & ZIP CODE/COUNTRY	
202	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
		Kan	Nancy	
RESIDENCE & CITIZENSHIP	Dublin	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS	7915 Riverside Dr.	CITY	STATE & ZIP CODE/COUNTRY	
203	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP		STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS		CITY	STATE & ZIP CODE/COUNTRY	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
<i>Mary L</i>	<i>M. S. J.</i>	
DATE Nov. 15, '95	DATE 11.15.95	DATE

*NOT FOR RECORDATION*

Attorney Docket No. 16930-000600

ASSIGNMENT OF PATENT APPLICATION

*16825 Via De Santa Fe H.M.S.*

JOINT

WHEREAS, H. Michael Shepard of ~~17455 Rancho del Rio~~, Rancho Santa Fe, CA 92067, Nancy Kan of 7915 Riverside Dr., Dublin, OH 43016 hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: Gene Therapy by Retroviral Vector with Tumor Suppressive Gene

Filing date: December 4, 1995 Application No.: 08/403,797; and

WHEREAS, Canji, Inc. a Delaware corporation, located at 3030 Science Park Road, Suite 302, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: 10/2/97

*H. Michael Shepard*

H. Michael Shepard

Date: \_\_\_\_\_

\_\_\_\_\_

Nancy Kan

**ASSIGNMENT OF PATENT APPLICATION**

**JOINT**

WHEREAS, H. Michael Shepard of 17455 Rancho del Rio, Rancho Santa Fe, CA 92067, Nancy Kan of 7915 Riverside Dr., Dublin, OH 43016 hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

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For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

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IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: \_\_\_\_\_

H. Michael Shepard

Date: Oct. 2, 1997

Nancy Kan